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PART I

IMPORTANT GOVERNMENT ORDERS

CHIEF SECRETARY

Provides Opportunity to delinquent Government servants to cross-examine defence witnesses
examined on behalf of co-delinquents in Departmental Enquiries.

OFFICIAL MEMORANDUM

No. GAD 43 SRR 64, DATED BANGALORE, THE 2ND APRIL 1964
(CHAITRA 12, SAKA ERA 1886).

It has been brought to the notice of Government that in a departmental enquiry conducted against two Government servants in a common proceeding, one of them was denied by the Enquiry Officer the opportunity to cross-examine the

witnesses examined by the other delinquent on his own behalf, but the same evidence was used for coming to the conclusion that the Government servant was guilty of the charges framed. The punishment imposed on that Government servant has been held to be vitiated as it rested partly on the evidence of witness who was not allowed to be cross-examined.

According to rule 11 (6) of the Mysore Civil Services (Classification, Control and Appeal) Rules, 1957, a Government servant is entitled to cross-examine the witness examined in support of the charges. When a co-delinquent examines witnesses in support of a charge levelled against a delinquent, naturally he will acquire a right to cross-examine such witness. Government therefore wish to impress on all Enquiry Officers that in all such cases a delinquent Government servant should be given an opportunity to cross-examine the witnesses of a co-delinquent if the evidence of such a witness supports the charge levelled against the delinquent and is likely to adversely affect the interests of the delinquent.

B. PURUSHOTHAM,

*Under Secretary to Government,
General Administration Department
(Services Rules).*

Orders the delegation of powers to the Chairmen, Recruitment Committees, to sanction refunds of fees paid by applicants for Examinations and Selections.

READ—

Notification No. GAD 114 SRR 61, dated 27th December 1962.

ORDER NO. GAD 40 SSR 64, DATED BANGALORE, THE 19TH MARCH 1964
(PHALGUNA 29, SAKA ERA 1885)

In Government Notification cited, Recruitment Committees have been constituted for the purpose of selecting candidates to Class III Posts which are excluded from the purview of the Public Service Commission.

The question of delegating certain powers to the Chairmen of the various Recruitment Committees to sanction refund of fees paid by applicants for examinations and selections conducted by the Recruitment Committees was examined by Government.

After careful consideration of the matter and keeping in view the powers delegated to the Chairman, Mysore Public Service Commission in this behalf, Government are pleased to authorise the Chairmen of the various Recruitment Committees constituted in Government Notification read above, to sanction refunds of fees paid by applicants for examinations and selections conducted by the Recruitment Committees in the following cases.

1. When recruitment is cancelled after advertisement.
2. When applications are either not submitted or are withheld by the employer and therefore do not reach the Recruitment Committee.
3. When applications are rejected as late.
4. If a candidate is not admitted to the Examination.
5. If a candidate for an examination is permitted to withdraw his candidature before the examination is held.